REMARKS

As a preliminary matter, Applicants wish to thank the Examiner for the notice that Claims 111-47 are allowed and Claims 2-10 would be allowed if rewritten in independent form. Claims 1-47 are pending. Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,462,738 to Kato (Kato). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly, or inherently described, in a single reference.[1] Additionally, the single reference must set forth each of the claim elements as arranged by the claims.[2]

Kato

Kato teaches a control mesh of polygonal approximations is generated from one of their variety of conventional object representation schemes. FIG. 9 illustrates the distance the Bezier patch will project from the plane containing the end points of the patch is computed responsive to equation 914. Accordingly, a point b_{111} as given by equation 914 represents the distance the Bezier patch will project from the plane containing the end points of the patch, not a central control point as claimed.

According to the office action, Kato teaches calculate a using for each of the three vertices and the control points corresponding to the three edges based on the point labeled b_{111} and as designated by reference numeral 914 in FIG. 9. However, the point labeled b_{111} is described in Kato as "the distance the Bezier patch will project from the plane containing the end points of the patch" (Kato Column 8 lines 1-5). As previously stated, Kato teaches that the point labeled b_{111} as shown in FIG. 9 and as referenced by reference number 914 is the distance the visor patch will **project** from the plane containing the end points of the patch rather than teach "calculating a central control point using the vertex parameters of each of the three vertices and

---

[1] Glaverzel Societe Anonyme v. Northlake Marketing & Supply, Inc., 75 F.3d 1550, 1554 (Fed. Cir. 1999); Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1953 (Fed. Cir. 1987); *see* MPEP 2131.

[2] Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *see* MPEP 2131.

the control points corresponding to the three edges." Accordingly, rather than teaching a central control point using the vertex parameters for each of the three vertices and the control points corresponding edges, Kato teaches calculating a distance the Bezier patch will project from the plane containing the end points of the patch, For the reasons provided above, Kato does not teach all of the elements of Claim 1 and specifically Kato fails to teach "calculating a central control point using the vertex parameters for each of the three vertices and the control points corresponding to the three edges." Accordingly, Claim 1 is believed to be in condition for allowance. As to Claims 2-47, applicants respectfully submit that these claims add additional novel and non-obvious subject matter.

Applicants respectfully submit that the claims are in condition for allowance, and an early Notice of Allowance is earnestly solicited. The Examiner is invited to telephone the below-listed attorney at 312-609-7970 if the Examiner believes that a telephone conference will expedite the prosecution of the application.

Date: September 30, 2003

Vedder, Price, Kaufman & Kammholz, P.C.
222 N. LaSalle Street
Chicago, IL 60601
Phone: (312) 609-7970
Facsimile: (312) 609-5005

Respectfully submitted,

By: _Themi Anagnos_
Themi Anagnos
Registration No. 47,388

RECEIVED
CENTRAL FAX CENTER
OCT 01 2003

OFFICIAL